

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_

**v.** : **DATE FILED:** \_\_\_\_\_

**JAVIER DeJESUS** : **VIOLATIONS:**

: **21 U.S.C. § 841(a)(1)(distribution of**

: **heroin - 1 count)**

: **21 U.S.C. § 841(a)(1)(possession with**

: **intent to distribute cocaine base (“crack”)**

: **- 1 count)**

: **21 U.S.C. § 841(a)(1)(possession with**

: **intent to distribute heroin - 1 count)**

: **18 U.S.C. § 924(c)(1)(A) (possession of a**

: **firearm in furtherance of a drug**

: **trafficking crime - 1 count)**

: **18 U.S.C. § 922(g)(1) (felon in possession**

: **of a firearm - 2 counts)**

: **Notice of forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about May 28, 2003, in Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**JAVIER DeJESUS**

knowingly and intentionally distributed a mixture and substance containing a detectable amount  
of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 25, 2003, in Philadelphia, in the Eastern District of Pennsylvania,  
defendant

**JAVIER DeJESUS**

knowingly and intentionally possessed with intent to distribute a mixture and substance  
containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 25, 2003, in Philadelphia, in the Eastern District of Pennsylvania,  
defendant

**JAVIER DeJESUS**

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 25, 2003, in Philadelphia, in the Eastern District of Pennsylvania,  
defendant

**JAVIER DeJESUS**

knowingly possessed a firearm, that is, a Beretta, model 96, .40 caliber semi-automatic handgun, serial number BER071670M, loaded with 13 live rounds of .40 caliber ammunition, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1)(A).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 23, 2003, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JAVIER DeJESUS,**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly and intentionally possessed, in and affecting interstate commerce, a firearm, that is, a Norinco, model MAK-90, 7.62x39mm semi-automatic assault rifle, serial number 9320275.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT SIX**

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**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 25, 2003, in Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**JAVIER DeJESUS**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly and intentionally possessed, in and affecting interstate commerce, a firearm, that is, a Beretta model 96, .40 caliber semi-automatic handgun, serial number BER071670M, loaded with 13 live rounds of .40 caliber ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

**NOTICE OF FORFEITURE**

\_\_\_\_\_ As a result of the violations of Title 18, United States Code, Sections 924(c)(1) and 922(g)(1), set forth in this indictment, defendant

**JAVIER DeJESUS**

shall forfeit to the United States of America, the firearms and ammunition involved in the commission of these offenses, that is:

1. a Norinco, model MAK-90, 7.62x39mm semi-automatic rifle, serial number 9320275;
2. a magazine for the Norinco firearm and 30 live rounds of 7.62x39mm ammunition;
3. a magazine for the Norinco firearm and 28 live rounds of 7.62x39mm ammunition; and
4. a Beretta model 96, .40 caliber semi-automatic handgun, serial number BER071670M; and 13 live rounds of .40 caliber ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

\_\_\_\_\_ **A TRUE BILL:**

\_\_\_\_\_ **FOREPERSON**

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**PATRICK L. MEEHAN**  
**UNITED STATES ATTORNEY**